

Senate Bill No. 730

CHAPTER 5

An act relating to the payment of claims against the state, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor February 29, 2012. Filed with
Secretary of State February 29, 2012.]

LEGISLATIVE COUNSEL'S DIGEST

SB 730, Kehoe. Claims against the state: appropriation.

Existing law authorizes a procedure for the payment of claims against the state.

This bill would appropriate \$12,992,000 from specified funds to the Department of Justice to pay for specified settlements of claims against the state.

This bill would declare that it is to take effect immediately as an urgency statute.

Appropriation: yes.

The people of the State of California do enact as follows:

SECTION 1. The sum of twelve million nine hundred ninety-two thousand dollars (\$12,992,000) is hereby appropriated to the Department of Justice to be allocated in accordance with the following schedule:

(a) The sum of one million five hundred thousand dollars (\$1,500,000) is hereby appropriated from the State Parks and Recreation Fund to pay for the settlement in the case of Aaron Ciccotti, Harold Ciccotti, and Bradley Ciccotti v. State of California (Merced County Superior Court, 2011, No. CV000577). Any funds appropriated in excess of the amounts required for the payment of this claim shall revert to the State Parks and Recreation Fund on June 30 of the fiscal year in which the final payment is made.

(b) (1) The sum of eleven million four hundred ninety-two thousand dollars (\$11,492,000) is hereby appropriated from the General Fund to be allocated in accordance with the following schedule:

(A) The sum of six million dollars (\$6,000,000) to pay the settlements and accumulated interest in the cases of Environmental Protection Information Center v. California Department of Forestry and Fire Protection (Humboldt County Superior Court, 2011, No. CV990445), and Steelworkers of America v. California Department of Forestry and Fire Protection (Humboldt County Superior Court, 2011, No. CV990452).

(B) The sum of three hundred twelve thousand dollars (\$312,000) to pay the settlement and accumulated interest in California School Boards Association, et al. v. State of California (San Diego County Superior Court, 2011, No. 37-2007-00082249).

(C) The sum of four million two hundred thirty thousand dollars (\$4,230,000) to pay the settlement in Mather Development Partners IV, L.P. v. EdFund, Inc., et al. (Sacramento County Superior Court, 2011, No. 34-2011-00095194).

(D) The sum of nine hundred fifty thousand dollars (\$950,000) to pay the settlement and accumulated interest in Entertainment Merchants' Association v. Brown (United States Supreme Court, 2011, No. 08-1448, referred to the United States Court of Appeals for the Ninth Circuit, 2012, No. 07-16620).

(2) Any funds appropriated in excess of the amounts required for the payment of the claims described in paragraph (1) shall revert to the General Fund on June 30 of the fiscal year in which the final payment is made.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to pay judgment and settlement claims against the state and end hardship to claimants as quickly as possible, it is necessary for this act to take effect immediately.